



ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2010-0014; FRL-9328-3]

Notice of Receipt of Requests to Voluntarily Cancel Certain Pesticide Registrations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In accordance with section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, EPA is issuing a notice of receipt of requests by registrants to voluntarily cancel certain pesticide registrations. EPA intends to grant these requests at the close of the comment period for this announcement unless the Agency receives substantive comments within the comment period that would merit its further review of the requests, or unless the registrants withdraw their requests. If these requests are granted, any sale, distribution, or use of products listed in this notice will be permitted after the registration has been cancelled only if such sale, distribution, or use is consistent with the terms as described in the final order.

DATES: Comments must be received on or before July 9, 2012.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2010-0014, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

- *Mail:* Office of Pesticide Programs (OPP) Regulatory Public Docket (7502P), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

Submit written withdrawal request by mail to: Pesticide Re-evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001. ATTN: Jolene Trujillo.

- *Delivery:* OPP Regulatory Public Docket (7502P), Environmental Protection Agency, Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. Deliveries are only accepted during the Docket Facility's normal hours of operation (8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays). Special arrangements should be made for deliveries of boxed information. The Docket Facility telephone number is (703) 305-5805.

Instructions: Direct your comments to docket ID number EPA-HQ-OPP-2010-0014. EPA's policy is that all comments received will be included in the docket without change and may be made available on-line at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through regulations.gov or e-mail. The regulations.gov website is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through regulations.gov, your e-mail address will be automatically captured and included as part of the comment that is placed in the docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your

comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Docket: All documents in the docket are listed in the docket index available at <http://www.regulations.gov>. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either in the electronic docket at <http://www.regulations.gov>, or, if only available in hard copy, at the OPP Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. The hours of operation of this Docket Facility are from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket Facility telephone number is (703) 305-5805.

FOR FURTHER INFORMATION CONTACT: Jolene Trujillo, Pesticide Re-evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 347-0103; e-mail address: trujillo.jolene@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including environmental, human health, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale,

distribution, or use of pesticides. If you have any questions regarding the information in this notice, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. What Should I Consider as I Prepare My Comments for EPA?

1. *Submitting CBI*. Do not submit this information to EPA through regulations.gov or e-mail. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD-ROM that you mail to EPA, mark the outside of the disk or CD-ROM as CBI and then identify electronically within the disk or CD-ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments*. When submitting comments, remember to:

- i. Identify the document by docket ID number and other identifying information (subject heading, **Federal Register** date and page number).

- ii. Follow directions. The Agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.

- iii. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.

- iv. Describe any assumptions and provide any technical information and/or data that you used.

- v. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.
- vi. Provide specific examples to illustrate your concerns and suggest alternatives.
- vii. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.
- viii. Make sure to submit your comments by the comment period deadline identified.

II. What Action is the Agency Taking?

This notice announces receipt by the Agency of requests from registrants to cancel 36 pesticide products registered under FIFRA section 3 or 24(c). These registrations are listed in sequence by registration number (or company number and 24(c) number) in Table 1 of this unit.

Unless the Agency determines that there are substantive comments that warrant further review of the requests or the registrants withdraw their requests, EPA intends to issue orders in the **Federal Register** canceling all of the affected registrations.

Table 1.--Registrations with Pending Requests for Cancellation

EPA Reg. No.	Product Name	Active Ingredients
000264-00438	Bronate Herbicide	MCPA, 2-ethylhexyl ester Bromoxynil octanoate
000264-00477	Buctril + Atrazine Herbicide	Bromoxynil octanoate Atrazine
000264-00586	Sedagri Batril 20W Herbicide	Bromoxynil octanoate

000264-00699	Rhino Brand Herbicide	MCPA, 2-ethylhexyl ester Bromoxynil octanoate Heptanoic acid, 2,6-dibromo-4-cyanophenyl ester
000264-00799	Weco Max Brand Herbicide	2,4-D, 2-ethylhexyl ester Heptanoic acid, 2,6-dibromo-4-cyanophenyl ester Bromoxynil octanoate
000264-01071	Wolverine Power Pak	Heptanoic acid, 2,6-dibromo-4-cyanophenyl ester Bromoxynil octanoate Pyrasulfotole Technical Fenoxaprop-p-ethyl
000279-03104	Commence EC	Trifluralin Clomazone
000279-03232	Command Xtra Herbicide	Clomazone Sulfentrazone
001043-00060	T.B.Q. Germicidal Detergent	Alkyl dimethyl benzyl ammonium chloride (50%C ₁₄ , 40%C ₁₂ , 10%C ₁₆)
002217-00426	Formec 80 Turf & Ornamental Fungicide	Mancozeb
010324-00053	Maquat 2.5%	1-Decanaminium, N-decyl-N,N-dimethyl-, chloride
010324-00054	Maquat-4.5%	1-Decanaminium, N-decyl-N,N-dimethyl-, chloride

010324-00055	Septin CS	Alkyl dimethyl benzyl ammonium chloride (60%C ₁₄ , 30%C ₁₆ , 5%C ₁₈ , 5%C ₁₂); Alkyl*dimethyl ethylbenzyl ammonium chloride *(68%C ₁₂ , 32%C ₁₄)
010324-00106	Q-14 Disinfectant	Alkyl dimethyl benzyl ammonium chloride (50%C ₁₄ , 40%C ₁₂ , 10%C ₁₆); 1-Octanaminium, N,N-dimethyl-N-octyl-, chloride; 1-Decanaminium, N-decyl-N,N-dimethyl-, chloride; 1-Decanaminium, N,N-dimethyl-N-octyl-, chloride
010324-00145	Maquat FP	Alkyl dimethyl ethylbenzyl ammonium chloride (68%C ₁₂ , 32%C ₁₄) Alkyl dimethyl benzyl ammonium chloride (60%C ₁₄ , 30%C ₁₆ , 5%C ₁₈ , 5%C ₁₂)
010807-00449	Country Vet Flea & Tick Carpet Spray with Growth Inhibitor	Phenothrin, Tetramethrin, Pyriproxyfen
053883-00084	Pendimethalin 3.3 Herbicide	Pendimethalin
053883-00086	Pendimethalin 0.66% + Fertilizer	Pendimethalin
053883-00138	Permethrin 3.2 Ag II	Permethrin
075341-00012	Hollow Heart CF	Copper naphthenate, Sodium fluoride
075341-00013	COP-R-Plastic II Wood Preserving Compound	Copper naphthenate, Sodium fluoride
CA110009	Ethylene	Ethylene

GA080007	Ridomil Gold Copper	Copper hydroxide D-Alanine, N-(2,6-dimethylphenyl)- N-(methoxyacetyl)-, methyl ester
GA080011	Safari 20 SG Insecticide	Dinotefuran
ID060014	Prozap Zinc Phosphide Pellets	Zinc phosphide (Zn3P2)
KY080024	Safari 20 SG Herbicide	Dinotefuran
MI000003	Captan 50 Wettable Powder	Captan
MI060004	Dual Magnum	S-Metolachlor
MT950003	Zinc Phosphide Oat Bait	Zinc phosphide (Zn3P2)
NV040003	Zinc Phosphide Oat Bait	Zinc phosphide (Zn3P2)
NV060007	Prozap Zinc Phosphide Pellets	Zinc phosphide (Zn3P2)
NV080003	Endura Fungicide	Boscalid
SD070001	Zinc Phosphide Oat Bait	Zinc phosphide (Zn3P2)
VA080007	Ridomil Gold Copper	Copper hydroxide D-Alanine, N-(2,6-dimethylphenyl)- N-(methoxyacetyl)-, methyl ester
VA080009	Safari 20 SG Insecticide	Dinotefuran
WA060011	Tristar 70 WSP Insecticide	Acetamiprid

Table 2 of this unit includes the names and addresses of record for all registrants of the products in Table 1 of this unit, in sequence by EPA company number. This number corresponds to the first part of the EPA registration numbers of the products listed in this unit.

Table 2.--Registrants Requesting Voluntary Cancellation

EPA Company Number	Company Name and Address
264	Bayer Crop Science LP 2 T.W. Alexander Dr. PO Box 12014 Research Triangle Park, NC 27709
279	FMC Corp.Agricultural Products 1735 Market St. Rm 1978 Philadelphia, PA 19103
1043	Steris Corporation PO Box 147 St. Louis, MO 63166-0147
2217	PBI/ Gordon Corp. 1217 West 12th St. Kansas City, MI 64101-0090
10324	Mason Chemical Co. 721 W. Algonquin Rd. Arlington Heights, IL 60005
10807	Amrep, Inc Agent: Lewis & Harrison LLC 122 C St, NW Washington, DC 20001
53883	Control Solutions, Inc. 5903 Genoa-Red Bluff Rd. Pasadena, TX 77507-1041
75341	Osmose Utilities Services, Inc. 980 Ellicott St. Buffalo, NY 14209
CA110009	Airgas Specialty Gases, Inc. 2530 Sever Rd. Suite 300 Lawrenceville, GA 30043
GA080007, MI060004, VA080007	Syngenta Crop Protection, LLC D/B/A Syngenta Crop Protection, Inc. PO Box 18300 Greensboro, N.C. 27149-8300
GA080011, KY080024, VA080009	Valent U.S.A. Corporation 1600 Riviera Avenue, Suite 200 Walnut Creek, CA 94596
ID060014, MT950003, NV040003, NV060007, SD070001	Hacco, Inc. 110 Hopkins Dr. Randolph, WI 53956-1316
MI000003	Arysta Lifescience North America, LLC 15401 Weston Parkway, Suite 150 Cary, NC 27513

NV080003	BASF Corporation 26 Davis Dr. Research Triangle Park, NC 27709-3528
WA060011	Nippon Soda Co. Ltd Agent: Nisso America Inc. 45 Broadway, Suite 2110 New York, NY 10006

III. What is the Agency's Authority for Taking this Action?

Section 6(f)(1) of FIFRA provides that a registrant of a pesticide product may at any time request that any of its pesticide registrations be cancelled. FIFRA further provides that, before acting on the request, EPA must publish a notice of receipt of any such request in the **Federal Register**.

Section 6(f)(1)(B) of FIFRA requires that before acting on a request for voluntary cancellation, EPA must provide a 30-day public comment period on the request for voluntary cancellation or use termination. In addition, FIFRA section 6(f)(1)(C) requires that EPA provide a 180-day comment period on a request for voluntary cancellation or termination of any minor agricultural use before granting the request, unless:

1. The registrants request a waiver of the comment period, or
2. The EPA Administrator determines that continued use of the pesticide would pose an unreasonable adverse effect on the environment.

The registrants in Table 2 of Unit II have not requested that EPA waive the 180-day comment period. Accordingly, EPA will provide a 180-day comment period on the proposed requests.

IV. Procedures for Withdrawal of Request

Registrants who choose to withdraw a request for cancellation should submit such withdrawal in writing to the person listed under **FOR FURTHER INFORMATION CONTACT**. If the products have been subject to a previous cancellation action, the effective date of cancellation and all other provisions of any earlier cancellation action are controlling.

V. Provisions for Disposition of Existing Stocks

Existing stocks are those stocks of registered pesticide products that are currently in the United States and that were packaged, labeled, and released for shipment prior to the effective date of the cancellation action. Because the Agency has identified no significant potential risk concerns associated with these pesticide products, upon cancellation of the products identified in Table 1 of Unit II., EPA anticipates allowing registrants to sell and distribute existing stocks of these products for 1 year after publication of the Cancellation Order in the **Federal Register**. Thereafter, registrants will be prohibited from selling or distributing the pesticides identified in Table 1 of Unit II., except for export consistent with FIFRA section 17 or for proper disposal. Persons other than registrants will generally be allowed to sell, distribute, or use existing stocks until such stocks are exhausted, provided that such sale, distribution, or use is consistent with the terms of the previously approved labeling on, or that accompanied, the cancelled products.

List of Subjects

Environmental protection, Pesticides and pests.

Dated: December 13, 2011.

Richard P. Keigwin, Jr.,

Director, Pesticide Re-evaluation Division, Office of Pesticide Programs.

[FR Doc. 2012-340 Filed 01/10/2012 at 8:45 am; Publication Date: 01/11/2012]